

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

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|---|---|---|
| PAM VANDEURSEN, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Case No. 08-C 2416 |
| |) | |
| CAMBRIA ENTERPRISES, INC., a Minnesota |) | Hon. John W. Darrah |
| corporation, CAMBRIA FABSHOP- |) | Magistrate Judge Keys |
| CHICAGO, INC., a Minnesota corporation, |) | |
| |) | (Removed from Circuit Court of Cook |
| Defendants. |) | County, Illinois, Case No. 08 CH 15281) |
| |) | |

**DEFENDANTS' MOTION TO SUBSTITUTE EXHIBIT C
IN DEFENDANTS' NOTICE OF REMOVAL**

Defendants, Cambria Enterprises, Inc., and Cambria FabShop-Chicago, Inc. (collectively "Cambria"), by their attorneys, respectfully submit this Motion to Substitute Exhibit C with regard to the Notice of Removal that they previously filed. In support of their Motion to Substitute Exhibit C, Defendants state as follows:

1. On April 28, 2008, Cambria filed their Notice of Removal with regard to Plaintiff's "Complaint for Injunctive and Declaratory Relief" that was originally filed in the Circuit Court of Cook County, County Department, Chancery Division, Case Number 08 CH 15281.
2. As part of their Notice of Removal, Cambria attached the affidavit of James Tucker ("Tucker"), Cambria Enterprises, Inc.'s Assistant Chief Financial Officer, as Exhibit C.
3. Due to a clerical error, a draft of Tucker's Affidavit was inadvertently filed as Exhibit C instead of Tucker's true and correct affidavit.

4. Specifically, page one of Tucker's Affidavit was filed in error as, prior to his signing the Affidavit, Tucker made changes to page one. The revised page one was not substituted prior to the filing of Defendants' Notice of Removal. A copy of the Affidavit that should have been filed is attached hereto.

5. The differences between the two Affidavits is minimal and not substantive and was due to a clerical error.

6. The clerical error is not prejudicial to the Plaintiff.

WHEREFORE, Defendants request that this Court allow it to substitute Exhibit C of their Notice of Removal.

Dated: May 2, 2008

Respectfully submitted,
CAMBRIA ENTERPRISES, INC. and
CAMBRIA CAMBRIA FABSHOP –
CHICAGO, INC.

By: s/Brian S. Roche
One of Their Attorneys

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CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that on May 2, 2008, **Defendants' Motion to Substitute Exhibit C in Defendants' Notice of Removal** was electronically filed using the CM/ECF system which will send notification of such filing to all attorneys of record who have registered for e-mail delivery as listed below:

Michael E. Lavelle
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s/Brian P. Roche
Brian P. Roche